



COUNTY OF SAN LUIS OBISPO
DEPARTMENT OF PLANNING AND BUILDING
STAFF REPORT

Tentative Notice of Action

Promoting the wise use of land
Helping build great communities

MEETING DATE August 19, 2005 EFFECTIVE DATE September 2, 2005	CONTACT/PHONE Murry Wilson (805) 788-2352	APPLICANT John Alexander	FILE NO. DRC2004-00219
SUBJECT Request by John Alexander for a Minor Use Permit to allow a pre-1976 mobile home to be located on the subject site in support of existing aquaculture operations. The project will result in the disturbance of approximately 1,500 square feet of a 185 acre parcel. The proposed project is within the agriculture land use category and is located at 5020 Villa Creek Road approximately 5 miles north of the town of Cayucos. The site is in the Adelaida planning area.			
RECOMMENDED ACTION Approve Minor Use Permit DRC2004-00219 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
ENVIRONMENTAL DETERMINATION A Class 3 Categorical Exemption was issued on June 20, 2005			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION Sensitive Riparian Vegetation, Archaeological Study Area, Geologic Study Area, Flood Hazard	ASSESSOR PARCEL NUMBER 046-091-038	SUPERVISOR DISTRICT(S) 2
PLANNING AREA STANDARDS: None Applicable to this project			
LAND USE ORDINANCE STANDARDS: 22.30.450- Residential - Mobile Homes, 22.30.480- Residential Uses in the Agriculture Land Use Category <i>Does the project conform to the Land Use Ordinance Standards: Yes - see discussion</i>			
FINAL ACTION This tentative decision will become final action on the project, effective on the 15 th day following the administrative hearing, or on September 9, 2005, if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
EXISTING USES: Aquaculture / Agriculture / Residence			
SURROUNDING LAND USE CATEGORIES AND USES: North: Agriculture/Residences South: Agriculture/Aquaculture East: Agriculture/Residences West: Agriculture/Residences			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Cayucos Citizen's Advisory Council, Public Works, RWQCB, Coastal Commission, and Kerry Brown	
TOPOGRAPHY: Flat to rolling hills	VEGETATION: Grasses, riparian vegetation and scattered oak trees
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: June 20, 2005

DISCUSSION:

This permit is proposed to establish a pre-1976 mobile home as farm support quarters for an established aquaculture operation. The facility is expanding operations which require constant supervision, hence the request for farm support housing. The mobile home will be sited without excavation or site disturbance beyond the building envelope. The location for the proposed mobile home is not visible from Highway 1.

The existing use (aquaculture) is comparable to a nursery use for the purpose of farm support. The Land Use Ordinance allows farm support quarters based on the size and intensity of the agriculture operation. A nursery use would allow one farm support unit per acre of nursery operations. Therefore, since aquaculture is comparable to a nursery use, the request for farm support housing is allowed per acre of aquaculture operations.

LAND USE ORDINANCE STANDARDS:

22.30.450- Residential - Mobile Homes: The project meets the requirements of Section 22.30.450 of title 22 of the San Luis Obispo County Code for location, minimum site area and setbacks. Because the proposed mobile home is not visible from any public road, the applicant is requesting a waiver of the exterior design standards of section 22.30.450(E) of Title 22 of the San Luis Obispo County Code.

22.30.480- Residential Uses in the Agriculture Land Use Category: The applicant submitted a request for farm support and supporting documentation of the existing agricultural use. The farm support is allowed based on nurseries standard and one unit per acre of crop (or aquaculture) is allowed. The primary resident of the farm support structure will be the caretaker of the aquaculture operation.

COMMUNITY ADVISORY GROUP COMMENTS: The project is in support of existing aquaculture operation.

AGENCY REVIEW:

Public Works – Recommend approval, position mobile home away from flood hazard area

LEGAL LOT STATUS:

The parcel was created by a Lot Line Adjustment (COAL 80-07), a legal method of creating parcels.

Staff report prepared by Murry Wilson and reviewed by Kami Griffin.

EXHIBIT A - FINDINGS

CEQA Exemption

- A. The project qualifies for a Categorical Exemption (Class 3) pursuant to CEQA Guidelines Section 15303 because the proposed mobile home is a small new structure supporting the existing aquaculture operation on-site.

Minor Use Permit

- B. The proposed project or use is consistent with the San Luis Obispo County General Plan because the use is an allowed use and as conditioned is consistent with all of the General Plan policies.
- C. As conditioned, the proposed project or use satisfies all applicable provisions of Title 22 of the County Code.
- D. The establishment and subsequent operation or conduct of the use will not, because of the circumstances and conditions applied in the particular case, be detrimental to the health, safety or welfare of the general public or persons residing or working in the neighborhood of the use, or be detrimental or injurious to property or improvements in the vicinity of the use because the proposed mobile home does not generate activity that presents a potential threat to the surrounding property and buildings. This project is subject to Ordinance and Building Code requirements designed to address health, safety and welfare concerns.
- E. The proposed project or use will not be inconsistent with the character of the immediate neighborhood or contrary to its orderly development because the proposed mobile home is similar to, and will not conflict with, the surrounding lands and uses.
- F. The proposed project or use will not generate a volume of traffic beyond the safe capacity of all roads providing access to the project, either existing or to be improved with the project because the project is located on Villa Creek Road, a local road constructed to a level able to handle any additional traffic associated with the project.
- G. Because the proposed mobile home will not be visible from any public road, waiver of the exterior design standards for siding, roof material and roof overhangs will not create a significant visual impact.

EXHIBIT B - CONDITIONS OF APPROVAL

Approved Development

1. This approval authorizes
 - a. a pre-1976 mobile home to be located on the subject site in support of existing aquaculture operations.
 - b. a waiver of the exterior design standards required by Section 22.30.450(E) of the county code for siding, roof material and roof overhangs
 - c. maximum height is 35 feet from average natural grade.

Conditions required to be completed at the time of application for construction permits

Site Development

2. At the time of application for construction permits plans submitted shall show all development consistent with the approved site plan and floor plan.
3. At the time of application for construction permits, the applicant shall provide details on any proposed exterior lighting, if applicable. The details shall include the height, location, and intensity of all exterior lighting. All lighting fixtures shall be shielded so that neither the lamp or the related reflector interior surface is visible from adjacent properties. Light hoods shall be dark colored.

Fire Safety

4. At the time of application for construction permits, all plans submitted to the Department of Planning and Building shall meet the fire and life safety requirements of the California Fire Code. Requirements shall include, but not be limited to those outlined in the Fire Safety Plan, prepared by the CDF/County Fire Department for this proposed project.

Services

5. At the time of application for construction permits, the applicant shall submit evidence that there is adequate water to serve the proposal, on the site.
6. At the time of application for construction permits, the applicant shall submit evidence that a septic system, adequate to serve the proposal, can be installed or is installed on the site.

Conditions to be completed prior to issuance of a construction permit

Fees

7. Prior to issuance of a construction permit, the applicant shall pay all applicable school and public facilities fees.
8. Prior to issuance of a construction permit, the applicant shall record an agreement with the County limiting the occupancy of the proposed structure to farm workers.

Conditions to be completed prior to occupancy or final building inspection /establishment of the use

9. Prior to occupancy or final inspection, which ever occurs first, the applicant shall obtain final inspection and approval from CDF of all required fire/life safety measures.
10. Prior to occupancy of any structure associated with this approval, the applicant shall contact the Department of Planning and Building to have the site inspected for compliance with the conditions of this approval.
11. Prior to occupancy of any structure associated with this approval, the existing dilapidated residence shall be removed from the site so no more than two primaries and one farm support quarters are located on the site.

On-going conditions of approval (valid for the life of the project)

Archaeology

12. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
 - a. Construction activities shall cease and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
 - b. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
13. This land use permit is valid for a period of 24 months from its effective date unless time extensions are granted pursuant to Land Use Ordinance Section 22.64.070 or the land use permit is considered vested. This land use permit is considered to be vested once a construction permit has been issued and substantial site work has been completed. Substantial site work is defined by Land Use Ordinance Section 22.64.080 as site work progressed beyond grading and completion of structural foundations; and construction is occurring above grade.
14. All conditions of this approval shall be strictly adhered to, within the time frames specified, and in an on-going manner for the life of the project. Failure to comply with these conditions of approval may result in an immediate enforcement action by the Department of Planning and Building. If it is determined that violation(s) of these conditions of approval have occurred, or are occurring, this approval may be revoked pursuant to Section 22.74.160 of the Land Use Ordinance.

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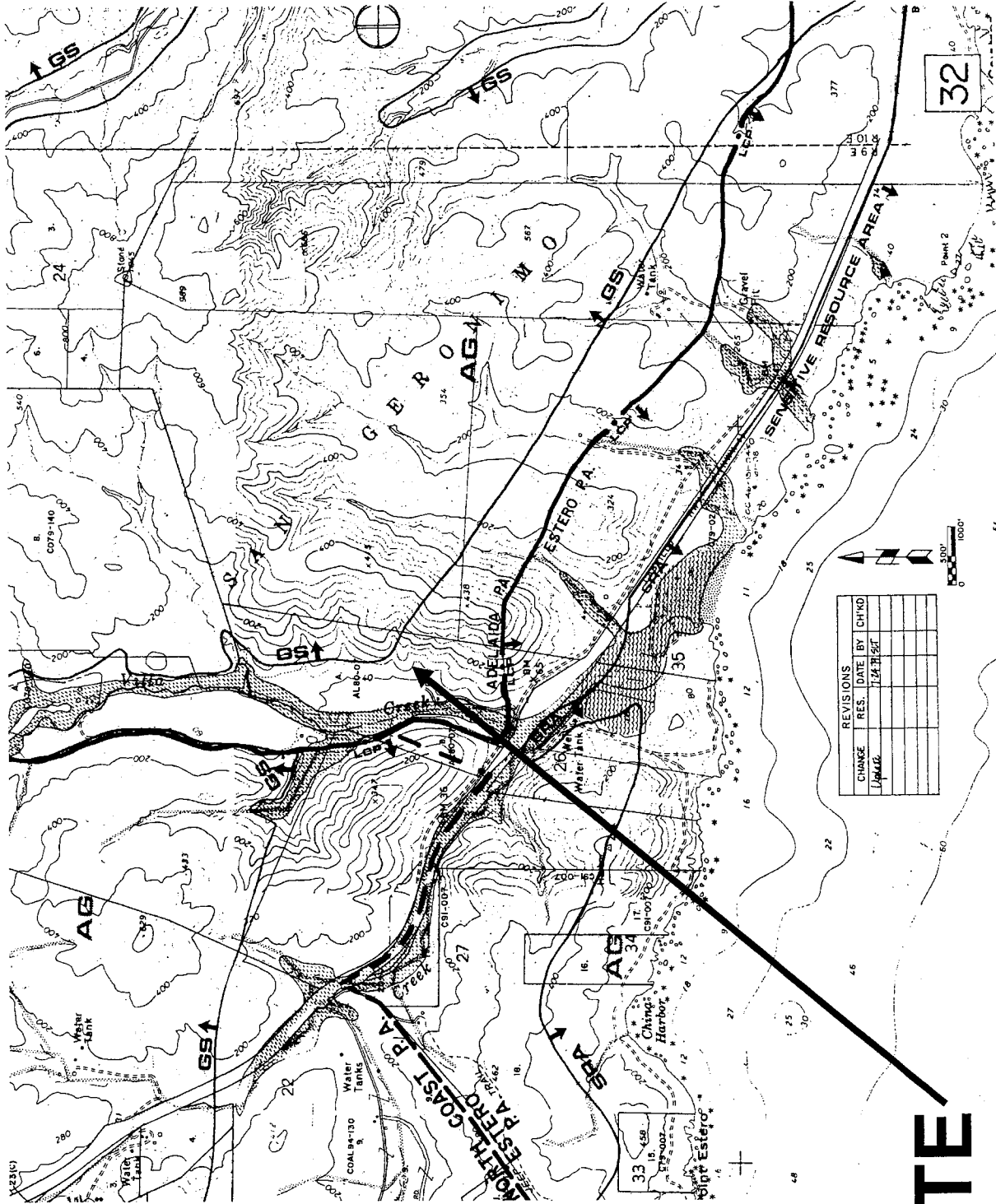


Vicinity Map



PROJECT

Minor Use Permit
Alexander DRC2004-002



SITE

REVISIONS		
CHANGE	RES.	DATE BY CH'D
1	Initial	1/24/02

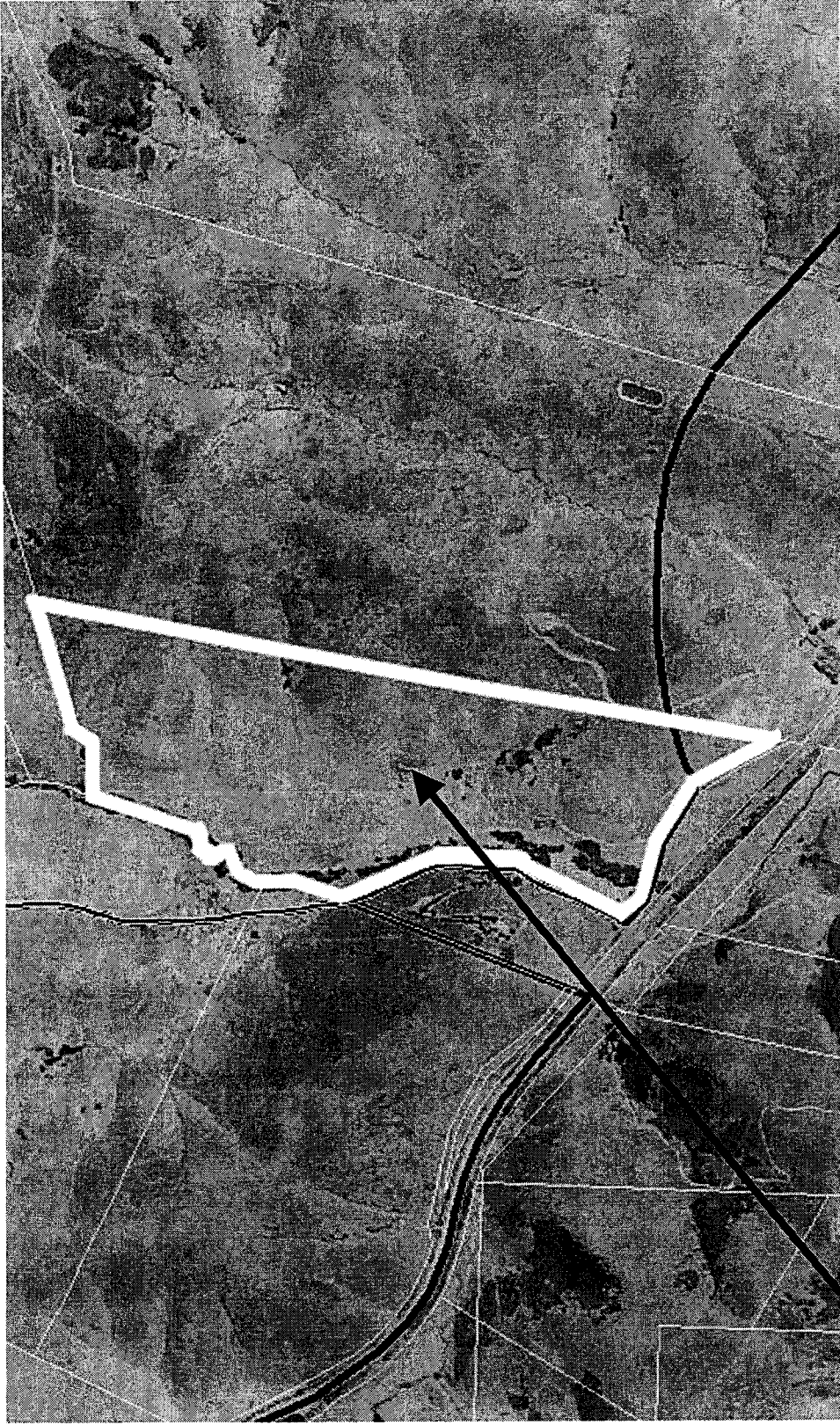
PROJECT

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EXHIBIT

Land Use Category





SITE

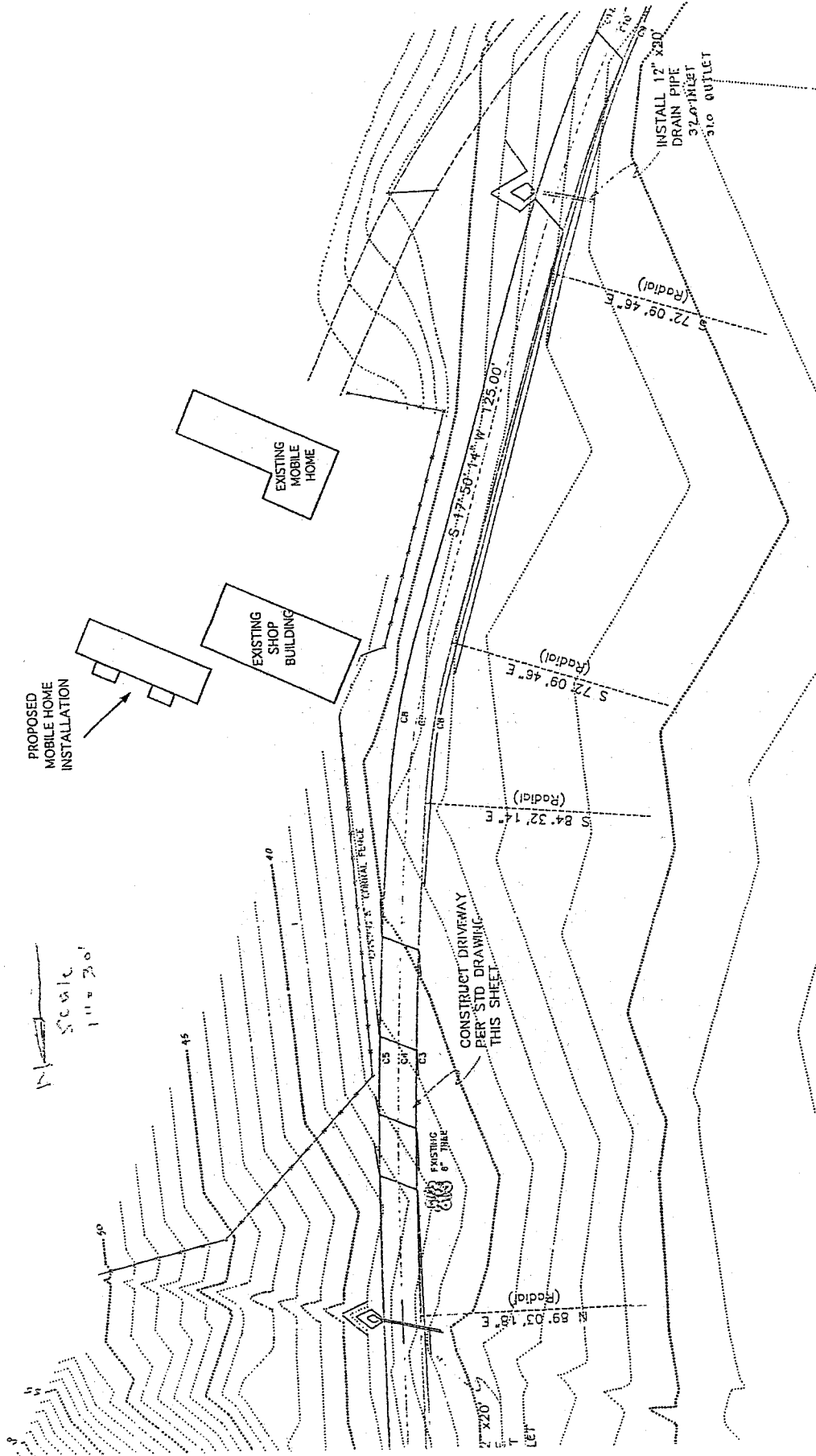
PROJECT

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EXHIBIT

Aerial





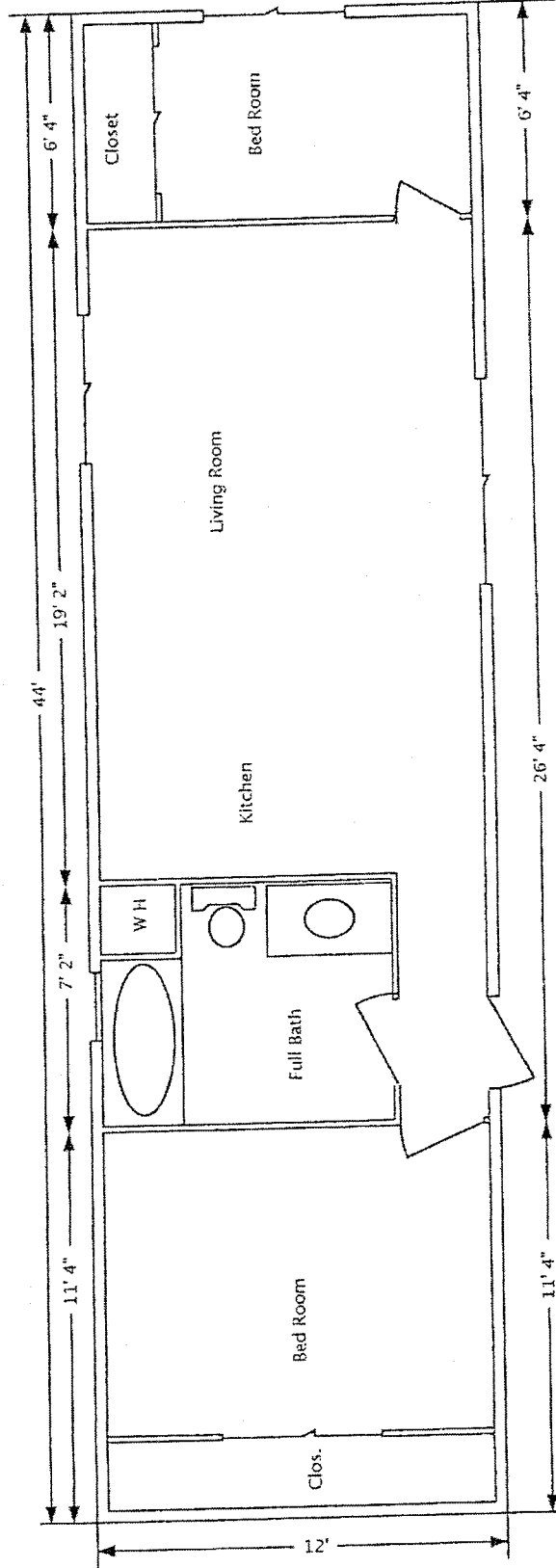
EXHIBIT

Site Plan



PROJECT

Minor Use Permit
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FLOOR PLAN
SCALE 1/4" = 1' 0"

PROJECT

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EXHIBIT

Floor Plan

